

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Bruck, et al.  
Serial No.: 09/936,456  
For: Novel Compounds



International Application No.: PCT/EP00/02048  
I.A. Filing Date: 09 March 2000  
Priority Dates: 11 March 1999 & 01 September 1999

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE**

Sir:

In response to the communication from the Patent Office mailed November 2, 2001, entitled "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office," enclosed is the Declaration and Power of Attorney for this application, plus the duplicate copy of the Notice to File Missing Parts of the Application form.

The \$130.00 surcharge for filing the missing parts of the application should be charged to Deposit Account No. 50-0258. Any overpayment or refund should be credited to Deposit Account No. 50-0258.

Further enclosed is the "Sequence Listing" in computer readable form in accordance with the requirements of 37 CFR §§ 1.821(e).

**STATEMENT**

Applicant hereby states that the enclosed CRF diskette submitted herewith is identical to the paper copy of the "Sequence Listing" contained in the copy of International Publication No. WO 00/53748 which was submitted on September 12, 2001 for filing with the US Patent Office and contains no new matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Teresa O. Bittenbender".

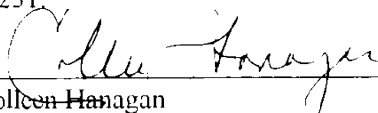
Teresa O. Bittenbender  
Registration No. 47,425  
Attorney for Applicants

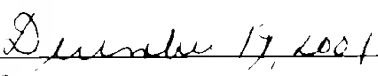
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Docket No. BC45225  
Serial No. 09/936,456

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being caused to be deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents, Box PCT, Washington, D.C. 20231.

  
\_\_\_\_\_  
Colleen Hanagan

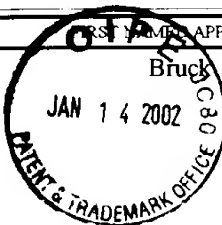
  
\_\_\_\_\_  
Date

JC14 Rec'd PCT/PTO 14 JAN 2002

 <small>Communication for PCT, from PCT, United States Patent and Trademark Office, Washington, D.C. 20514, www.uspto.gov</small>	
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U.S. APPLICATION NUMBER NO 09/936,456	FIRST NAMED APPLICANT Bruck	ATTY DOCKET NO BC45225
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25308  
 DECHERT  
 ATTN: ALLEN BLOOM, ESQ  
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INTERNATIONAL APPLICATION NO PCT/EP00/02048	
1A FILING DATE 03/09/2000	PRIORITY DATE 03/11/1999

CONFIRMATION NO. 4140  
 371 FORMALITIES LETTER



\*OC000000007011665\*

Date Mailed: 11/02/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED

NOV 07 2001

S.C.S.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason (s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

■ **APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
    - For Rules Interpretation, call (703) 308-4216
    - To Purchase PatentIn Software, call (703) 306-2600
    - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

KAREN M WILLIAMS

Telephone: (703) 305-3688

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY. DOCKET NO
09/936,456	PCT/EP00/02048	BC45225